

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JPMORGAN CHASE BANK,	)	
NATIONAL ASSOCIATION,	)	
AS TRUSTEE,	)	
	)	
Plaintiff,	)	No. 3:05-0079
	)	JUDGE ECHOLS
v.	)	
	)	
FIFTH THIRD BANK,	)	
NATIONAL ASSOCIATION,	)	
	)	
Defendant.	)	

ORDER

For the reasons explained in the Memorandum entered contemporaneously herewith, the Court rules as follows:

(1) Defendant's Motion To Dismiss For Lack of Jurisdiction Pursuant to 28 U.S.C. § 1332 (Docket Entry No. 32) is hereby DENIED.

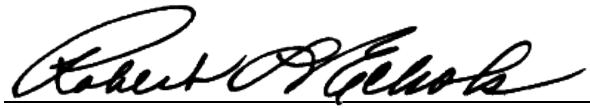
(2) The Motion By Plaintiff JPMorgan Chase Bank, National Association, as Trustee, For Summary Judgment (Docket Entry No. 27), is hereby DENIED.

(3) The Motion By Defendants Fifth Third Bank and J. Timothy Street, Successor Trustee For Summary Judgment (Docket Entry No. 31), is hereby GRANTED.

(4) The Motion For Order Of Sale Of Property (Docket Entry No. 33), is hereby DENIED.

(5) This case is hereby DISMISSED WITH PREJUDICE.

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written over a horizontal line.

ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE